

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLENTEWON CENTRAL CATHOLIC : CIVIL ACTION
HIGH SCHOOL :
v. : NO. 22-3139
SODEXO OPERATIONS, LLC, SIMCO :
SALES SERVICE OF PA, INC. :

ORDER

AND NOW, this 11th day of January 2024, upon considering plaintiff's motion for summary judgment (DI 41), defendant Simco Sales Service of PA, Inc.'s opposition and cross motion for summary judgment (DI 42), plaintiff's sur reply and reply to the cross motion (DI 45), defendant Simco Sales Service of PA, Inc.'s sur reply (DI 46), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Plaintiff's motion for summary judgment (DI 41) is **GRANTED** as to contractual indemnification and otherwise denied;
2. Defendant Simco Sales Service of PA, Inc.'s cross motion for summary judgment (DI 42) is **GRANTED** on breach of contract and otherwise denied; and,
3. We will hold a case management videoconference over Microsoft Teams on **January 25, 2024 at 11:30 A.M.** and will send a videoconference link by e-mail to all counsel of record. No later than **January 24, 2024**, the parties shall file letters setting forth their views on how to determine a remedy and otherwise proceed to final judgment.



MURPHY, J.